

patent application. Pending claims 1-26 stand rejected. More specifically, pending claims 1 and 6 stand provisionally rejected in view of claims 1 and 29 of U.S. Patent No. 6,651,020 under the judicially created doctrine of obviousness-type double patenting.

Applicant wishes to show, however, distinctive features of claims 1 and 6 of the present application, which are neither disclosed nor claimed in, nor obvious in view of, U.S. Patent No. 6,651,020. Thus, the distinctive features are patentable, and they are commercially valuable.

Considered in more detail, commercial electronic measurement systems having accuracy requirements beyond that which could be compensated by compensating input offset (as described in U.S. Patent No. 6,651,020), would significantly benefit from compensation of additional modes of error over time and temperature. These additional modes of error include drift of gain, common mode error, and errors resulting from power supply variations over time and temperature, as disclosed and claimed in the present application.

It is neither disclosed nor calculable nor obvious to persons skilled in the art in view of the disclosure in U.S. Patent No. 6,651,020, that curves representative of 1) gain versus temperature, 2) common mode versus temperature, and 3) power supply voltage versus temperature, would drift over time in a predominantly linear fashion, as is disclosed in U.S. Patent

No. 6,651,020 for input offset versus temperature, and which is the basis for applying the general method of U.S. Patent No. 6,651,020 to compensate for error.

At the time of filing the application for U.S. Patent No. 6,651,020, the linearity of drift of the additional curves over time was not known by the applicant. To determine applicability of compensation for these additional error modes, the applicant ran a series of tests specifically to determine linearity of drift over time of the additional curves. The results of these tests demonstrated that the additional curves substantially satisfied the prerequisite time drift characteristics for compensation by the general method disclosed in U.S. Patent No. 6,651,020.

The linearity of drift of the additional curves over time was not known by any individuals skilled in the art queried by the applicant, nor has the linearity of drift over time of the additional curves been documented in the art. Neither is such drift over time calculable by known means.

U.S. Patent No. 6,651,020 does not disclose compensation for these additional modes of error. The present application contains additional disclosure regarding compensation for these additional modes of error.

Nor, as indicated above, is it obvious to one skilled in the art that the additional modes of error could be compensated by

the general method of U.S. Patent No. 6,651,020, since it is not known, calculable, obvious, or considered in the known art whether or not the additional curves would exhibit the prerequisite substantial linear drift over time. Therefore, pending claims 1 and 6 of the present application claim compensation for additional modes of error which, after tests to determine viability, have been determined to be applicable to compensation by the general method of U.S. Patent No. 6,651,020, and thus constitutes an extension of technology and a novel, unobviousness, thus patentable, improvement over U.S. Patent No. 6,651,020.

The Examiner identifies on page 4 of the Office Action mailed on April 6, 2004 the similarities between the underlined passages specifying "...offset of electronic components..." in claim 1 of U.S. Patent No. 6,651,020; versus the "...at least one associated difference parameter value..." recited in pending claim 1 of the present application. However, unique to the present application, sub-sections b) - d) appearing in subsequent paragraphs of pending claim 1 of the present application (immediately following that of the above-mentioned underlined passage, and appearing in both claims 1 and 6) specify compensation of the additional modes of error mentioned above, namely, compensation for 1) gain in sub-section (b), 2) common mode in sub-section (c), and 3) power supply variations in sub-

section (d), specifically:

- "b) if the associated difference parameter value is representative of difference measurement gain, then the difference parameter reference curve is more specifically referred to as a difference gain reference curve, and
- c) if the associated difference parameter value is representative of difference measurement common mode, then the difference parameter reference curve is more specifically referred to as a difference CMR reference curve, and
- d) if the associated difference parameter value is representative of difference measurement power supply rejection, then the difference parameter reference curve is more specifically referred to as a difference PSR reference curve"

All of these additional modes of error compensation are commercially valuable to existing measurement applications which require greater accuracy than can be provided by compensating for input offset alone, are not disclosed or claimed in U.S. Patent No. 6,651,020, nor would they be obvious to one skilled in the art in view of the disclosure and claims in U.S. Patent No. 6,651,020. Claims 1 and 29 of U.S. Patent No. 6,651,020 do not recite the limitations quoted above.

In view of the foregoing remarks, it is respectfully submitted that the obviousness-type double patenting rejection should be withdrawn and that the present application is in condition for

allowance. Early action and allowance of the application are earnestly solicited.

Respectfully submitted,

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